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*Attorneys for Defendant*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

----- x  
 HERBERT H. KLEIGERMAN, on behalf of himself:  
 and others similarly situated, : 07 Civ. No. 8404 (PKC)  
 Plaintiff, :  
 -against- :  
**NOTICE OF FILING OF NOTICE  
 OF REMOVAL**  
 :  
 APPLE, INC., :  
 Defendant. : New York Supreme Court, County of  
 : New York Index No. 111681/07

TO: Clerk of Court  
 Supreme Court of New York  
 County of New York

Randall S. Newman, Esq.  
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NEW YORK  
 COUNTY CLERK'S OFFICE

SEP 27 2007

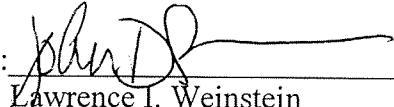
NOT COMPARED  
 WITH COPY FILE

PLEASE TAKE NOTICE that the within is a true copy of the Notice of Removal  
 filed in the United States District Court for the Southern District of New York on September 27,  
 2007.

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. §§ 1441 and 1446, the filing of said Notice of Removal in the United States District Court, together with the filing of a copy of said Notice with this Court, effects the removal of the above-captioned action.

Dated: New York, New York  
September 27, 2007

PROSKAUER ROSE LLP

By:   
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